

**NICHOLAS TRIPODES and
MARIA TRIPODES,**

Plaintiffs,

V.

NVR, INC. trading as **HEARTLAND HOMES OF PA**, **RITE RUG CO.** doing business as **RITE RUG FLOORING** and **ARMSTRONG FLOORING, INC.**,

Defendants.

2:18cv1131

Electronic Filing

MEMORANDUM ORDER

January 11, 2019

On August 27, 2018, the above captioned case was removed to this court and was referred to a magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on November 6, 2018 (ECF No. 31) recommending that the Motion to Remand (ECF No. 22) be denied. On November 20, 2018, Plaintiffs filed their objections (ECF No. 31) and on December 10, 2018, Defendant filed its response thereto. (ECF No. 34).

After *de nova* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 11th day of January, 2019,

IT IS HEREBY ORDERED that the Motion to Remand to State Court, (ECF No. 22) is **DENIED.**

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 31) dated November 6, 2018, is hereby **ADOPTED** as the opinion of the Court.

s/ DAVID STEWART CERCONI
David Stewart Cercone
Senior United States District Judge

cc: Michael J. Cremonese, Esquire
Alexandra Farone, Esquire
Kathleen A. Gallagher, Esquire
Carolyn Batz McGree, Esquire
Russell D. Giancola, Esquire
Peter N. Georgiades, Esquire
Victor D. Radel, Esquire
Magistrate Judge Maureen P. Kelly

(Via CM/ECF Electronic Mail)